## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA AT ANCHORAGE

UNITED STATES OF AMERICA for the use of NORTH STAR TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING & HANDLING, and NORTH STAR TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING & HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

VS.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY COMPANY; and ROBERT A. LAPORE,

Defendants.

## **TRIAL BRIEF OF USF&G**

COMES NOW the Defendant, USF&G, in herein adopts the Trial Brief of Nugget Construction, Inc., as though it were its own.

BAROKAS MARTIN & TOMLINSON 1029 West Third, Suite 280 Anchorage, Alaska 99501 Phone: (907) 276-8010

No. 3:98-cv-9 (TMB))

Fax: (907) 276-5334

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Dated this 31st day of July, 2007. 1 2 /s Herbert A. Viergutz Barokas Martin & Tomlinson, AK Bar No. 8506088 3 1029 West Third, Suite 280 Anchorage, AK 99501 Phone: (907) 276-8010 4 5 Facsimilè: (907) 276-5334 barmar@gci.net 6 CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 31<sup>st</sup> day 7 8 of July, 2007, to: 9 David Pease, Esq. Burr, Pease & Kurtz 810 N Street 10 Anchorage, AK 99501 Tom Krider, Esq. Traeger Machetanz, Esq Oles Morrison Rinker & Baker, LLP 745 4th Avenue, Suite 502 Anchorage, AK 99501-2136 11 12 13 Steven J. Shamburek, Esq. Law Office of Steven J. Shamburek 425 G Street, Suite 630 Anchorage, AK 99501-5872 14 15 /s Herbert A. Viergutz 16 Herbert A. Viergutz 17 18 19 20 21 22 23 24 25 **BAROKAS MARTIN & TOMLINSON** 

1029 West Third, Suite 280 Anchorage, Alaska 99501 Phone: (907) 276-8010 Fax: (907) 276-5334

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